

**STATE BOARD ADVISORY PANEL
FOR SPECIAL EDUCATION**

The Arizona State Advisory Panel for Special Education held a meeting at Arizona Department of Education, 1535 W. Jefferson, Room 417, Phoenix, AZ on June 29, 2004, from 9:00 a.m. to 3:00 p.m.

Members Present

J'Anne Affeld
Nancy Allen
M. Diane Bruening
Susan Douglas
Phyllis Green
Valerie Huber
Kathleen McCoy
Kathy McDonald
Terisa Rademacher, Co-chair
Sue Tillis
Kay B. Turner
Marta Urbina
Penny Webb

Others Present

Lynn Busenbark, ADE/ESS
Jeannette Zemeida, ADE/ESS

Members Absent

Caroline Alcaida
Jane Ellen Reid, Vice-chairperson
William Smith
June Wood, Co-chair

Minutes Approved (As Read)(As Amended)

Chairperson: _____

Signature

Date

Topic	Discussion	Outcome
1. Call to order.	Terisa Rademacher, Co-Chairperson, called the meeting to order at 9:10 a.m.	1. None
2. Approval of May 18, 2004 minutes	Kay Turner made a motion and seconded by Sue Douglas to approve the minutes of the May 18, 2004 meeting.	2. Motion carried
3. Public comment.	Ms. Rademacher welcomed the public in attendance. She explained to those present the procedures for making a comment. Anyone wishing to comment on an agenda item was asked to fill out a brief questionnaire stating which agenda item they wished to comment on. That person would then be called on when that item was discussed.	3. None
4. SEAP	Dr. June Wood will not be returning for a second term as she no longer qualifies for the position she holds. She had one year left in the co-chair position. As a result, an emergency election was held to fill the vacant position. Ms. Rademacher reviewed the duties of the co-chair position. Ms. Rademacher opened the floor for nominations of the co-chair. The nominated individual will complete Dr. Wood's term. Marta Urbina nominated Susan Douglas for the position. Sue Tillis seconded the nomination. Seeing no other nominations, Susan Douglas was elected by acclamation. She will serve for the 2004-2005 fiscal year.	4. Motion approved.
5. Exceptional Student Services	<p>Kacey Gregson, Director of Dispute Resolution, Exceptional Student Services updated the Panel on the Due Process Hearing Rules. The rules have been rejected by the Attorney General's (AG's) office. The AG's office feels that the tone of the current documents sounds as if the Arizona Department of Education is telling the Office of Administrative Hearings (OAH) what they <i>had</i> to do. Ms. Gregson and the ADE/ESS Assistant AG are currently working on the wording. At this point, once the review process has been completed and the AG' office approves the Rules, the earliest they will go into effect is May 2005.</p> <p>Ms. Gregson requested that SEAP review the rewritten rule. Panel members expressed concerns about current and possible rewritten rules. Ms. Rademacher stated that the panel had spent a considerable amount of time researching the proposal regarding the use of Administrative Law Judges (ALJs) and the OAH. The specificity in the rule was deliberate on the part of the SEAP in an attempt to ensure that everyone involved was cognizant of the existing federal guidelines and protections for students with disabilities. Ms. Gregson stated that she is aware of the intent, but that the AG's Office believes that the proposed rule changes overstep the authority of the Arizona Department of Education. She is working collaboratively with the department's liaison with the AG's Office and has made some changes that will hopefully resolve the issues. Ms. Gregson asked that comments be sent to her by August 13. Ms. Gregson provided Panel members with a copy of the edited Rules for review.</p> <p>ADE/ESS has still not received a report regarding the OSEP verification visit that took place in December. ADE/ESS has not received any feedback on the State Eligibility document.</p>	5. None

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	<p>ADE/ESS has not received any feedback from the submission of the APR. Dr. Busenbark felt that the Department would get one letter regarding the State eligibility and another letter that would combine the results of the verification visit and the APR submission.</p> <p>The Braille rule and the Educational Interpreter rule were certified by the Attorney General and have moved forward to the Secretary of State. They will go into effect sometime before the beginning of the next school year.</p>	
6. Self Assessment	<p>Dr. Lynn Busenbark, Director of Program Support, Exceptional Student Services, Arizona Department of Education provided the Panel with materials to review in order to complete the Continuous Improvement Monitoring Process (CIMP).</p> <p>The Panel discussed the possibility of removing some items from the self-study, as the U.S. Dept. of Education (USDOE) did not require them. The following items were dropped: GS1.g, GS2. a-b, GS3, GS4, CC1 a-b, CC2, and BF2.c. (see attachment)</p> <p>A discussion was held regarding GS3, which states, "Are appropriate sped and related services provided to students with disabilities served in juvenile and adult correctional facilities?" Even though this information is not required for the Annual Performance Report, there was concern that individuals in this category would be overlooked if GS3 were removed. Dr. Busenbark suggested that the information be reported under GS1, "Is FAPE ensured to students with disabilities because Arizona's systems for monitoring, dispute resolution and procedural safeguards are coordinated?" The information could be included under items a, b and c. The Panel decided to drop GS3 but include the secure care information under GS1 a-c.</p> <p>Dr. Busenbark went over the demographics of the identified special education students in the state. While Arizona has not met all of the goals set by USDOE we are close on most.</p> <p>Dr. Busenbark also shared the analysis of the focus group information. Most parents of students in special education at the elementary were satisfied. Most parents of students in special education the middle school and high school levels were not satisfied. All individuals who participated in the study and the districts that were selected to participate will be notified when the final report is available on-line.</p> <p>Parents in the focus groups reported that, while their schools provide them with a copy of the Parents' Rights, most do not read them until it is necessary and some do not understand the language of the document. The Panel brainstormed ideas for improving the system.</p> <p>Panel members reviewed the CIMP document. In some areas, additional information was available for review. As a result, Panel members upgraded the previous scores for several</p>	6. None

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	areas including correction of monitoring deficiencies, monitoring remediation and complaint investigation timelines.	
7. Highly Qualified Teachers teleconference	Panel members listened to a teleconference presented by the National Center on Secondary Education and Transition (NCSET). They were given the opportunity to ask questions of the presenters at the end. NCSET will provide minutes for the teleconference at www.ncset.org . PowerPoint presentations used for this conference can also be found at this website. After the presentation Panel members discussed the teleconference content.	7. None
8. Next meeting and agenda items.	Ms. Rademacher made the changes to the SEAP application that were suggested at the May 18 SEAP meeting. The draft will be submitted to the State Board of Education for approval. Ms. Rademacher has received an activity summary from the Teacher Certification/Recertification subcommittee but not from the other subcommittees. She distributed copies of the subcommittees' goals and action plans to assist with this task. She asked that the information be compiled and submitted to her as soon as possible so that she can complete the Annual Report. The following items were proposed for the agenda for September 21, 2004 meeting: <ul style="list-style-type: none">◆ Memo review for recommended changes regarding the Due Process Hearing rule◆ Self-Assessment◆ Goal Setting (Carol Massanari)	8. None.
9. Adjournment	Seeing no further business, Ms. Rademacher adjourned the meeting at 2:25 p.m.	9. Adjournment.